

**REMARKS**

Claims 1-6 and 8-26 are pending in this application. Claims 1-6 and 8-26 are rejected. Claims 1, 12, 13, 24 and 25 have been amended. No new matter has been added. Reconsideration of the claims is requested in light of the following remarks.

***Claim Rejections – 35 USC § 103*****Kodimer in view of Kirrmann: Claims 1-6 and 8-25**

Claims 1-6 and 8-25 are rejected under 35 USC 103(a) as being unpatentable over U.S. Pat. No. 6,003,078 A to Kodimer et al. ("Kodimer") in view of U.S. Pat. No. 4,905,196 to Kirrmann ("Kirrmann").

In general, the cited references deal with restoring a device to a previously valid operational state. In this manner error free status information is stored and used to restore a device after failure. The claims involve storing information after an error occurs but before device failure. This information allows diagnostics of the device to be performed to determine the cause of the failure as opposed to restoring the device to a previously error free state. The claims have been amended to clarify this distinction.

In particular, claim 1 as amended requires in part a network device assembly including a computer register for indicating the status of all of the hardware and software subsystems *after a fault occurs and before device failure*.

Kodimer involves status information concerning a condition of a network peripheral device connected to a network being automatically communicated to a remote service organization requiring the following steps: First, a condition of the network peripheral device is detected. Then, in response to the detected condition, status information is automatically obtained, the status information corresponding to the detected condition. Finally, upon obtaining the status information, a packet is automatically transmitted to the remote service organization via the network, the packet containing the status information. Applicants agree with Examiner Won that Kodimer does not teach the network device assembly including a computer register for indicating the status of all of the subsystems.

Kirrmann discusses a method and storage device for saving computer status during interrupt by saving a computer status, including variables of useful programs, register status of the processor, and the register status of the input/output devices. Kirrmann operates by dividing useful work into 'recovery blocks' and saving recovery points to allow resumption of computer operation after recovery from a failure where the recovery points represent the last known memory status prior to any failure. Kirrmann does not teach or even suggest

indicating status after a fault occurs and before device failure. In fact, in Kirrmann, if a failure occurs in any recovery block, the processor terminates an interrupted job and attempts, *after a repair*, to restore to the last known memory status prior to any failure (recovery point). Therefore Kirrmann does not cure the deficiencies of Kodimer and Claim 1 as amended is patentably distinguishable over the cited references. Claims 2-6 and 8-11 depend from claim 1. Since dependent claims necessarily contain the limitations of claims from which they depend, claims 2-6 and 8-11 are also patentably distinguishable over the cited references.

Independent claims 12, 24 and 25, as amended, contain the same limitation that makes claim 1 patentably distinguishable over Kodimer, in view of Kirrmann, and are patentably distinguishable over Kodimer in view of Kirrmann for at least these reasons. Claims 13-23 depend from claim 12. Since dependent claims necessarily contain the limitations of claims from which they depend, claims 13-23 are also patentably distinguishable over the cited references for at least these reasons.

Kodimer and Kirrmann in view of Wiesenewsky: Claim 26

Claim 26 is rejected under 35 USC 103(a) as being unpatentable over Kodimer and Kirrmann, further in view of U.S. Pat. No. 3,925,764 A to Wiesenewsky ("Wiesenewsky").

Claim 26 ultimately depends from claim 1 and therefore is patentably distinguishable over Kodimer in view of Kirrmann for at least the same reasons as claim 1.

Wiesenewsky discusses a memory device for automatic switching control systems using pulse patterns for the switching control. In Wiesenewsky, the working pulse pattern and the test pulse pattern are fed to the input of a shift register which has one more register stage than the number of clock pulses per pulse pattern. Therefore, the clock pulse signal and an erase signal pattern, which is present as required are also fed to the shift register and a logic circuit arrangement is connected to the shift register to detect the presence of a working pulse pattern therein and to cause it to be stored in the shift register.

Wiesenewsky does not teach or even suggest indicating a status after a fault occurs and before device failure and therefore does not cure the deficiencies of Kodimer in view of Kirrmann. Claim 26 is therefore patentably distinguishable over the cited references for at least these reasons.

***CONCLUSION***

For the foregoing reasons, reconsideration and allowance of claims 1-26 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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I hereby certify that this correspondence  
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